



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

KARL R. CANNON  
PO BOX 1909  
SANDY, UT 84091

MAILED

FEB 01 2010

OFFICE OF PETITIONS

In re Application of  
Stephen Day Broderick et al  
Application No. 10/714,805  
Filed: November 15, 2003  
Attorney Docket No. T10901

DECISION ON PETITION

This is a decision on the petition, filed October 19, 2009, which is being treated as a petition under 37 CFR 1.181 (no fee) requesting withdrawal of the holding of abandonment in the above-identified application.

The petition is **GRANTED**.

This application was held abandoned for failure to reply in a timely manner to the Restriction Requirement mailed September 26, 2006. A Notice of Abandonment was mailed on April 10, 2009.

Petitioner asserts that the Office action dated September 26, 2006 was not received.

A review of the written record indicates an irregularity in the mailing of the Office action of September 26, 2006. In this regard, the Office received a Power of Attorney/Change of Address on January 17, 2006, prior to the mailing of the Office action of September 26, 2006. Office records were not updated to reflect this new change of address. Accordingly, as the Office action was mailed to an incorrect address, the Notice of Abandonment mailed April 10, 2007, is hereby vacated and the holding of abandonment withdrawn.

This application is being referred to the Technology Center technical support staff of Art Unit 3635 for remailing the Office action of September 26, 2006 and resetting the period for reply.

/KOC/  
Karen Creasy  
Petitions Examiner  
Office of Petitions